

CONTRADICTS T. C. & I. TESTIMONY OF COLONEL

Chairman Says Company Was in Good Condition When Taken Over by U. S. Steel.

FEATURE OF DAY AT INQUIRY

John A. Topping Declares It Was Developed to a Point Making It Second Only to Big Corporation.

The condition of the Tennessee Coal and Iron Company at the time of its absorption by the United States Steel Corporation in 1907, with the assent of President Roosevelt, was one of the chief topics of inquiry by Jacob M. Dickinson, counsel for the government, at the hearing yesterday in the dissolution suit against the alleged Steel trust.

John A. Topping, chairman of the board of directors of the Tennessee Coal and Iron Company from the time a syndicate obtained control of the company until it was acquired in 1907 by the Steel Corporation, testified that conditions were entirely different from what Colonel Roosevelt said in his statement before the Stanley committee he had understood them to be.

Mr. Topping declared that the syndicate composed among others of George C. Hanna, G. B. Schley, J. B. Duke, Earl W. Oglethorpe, John W. O. H. Payne, Oakleigh Thorne and himself, put \$8,000,000 into the corporation and made it an efficient, money making enterprise that could have been considered second only to the Steel Corporation.

The company was the largest holder of mineral ore in the country after the Steel Corporation. Mr. Topping said, and its approximate ore acreage was 400,000. It had about a dozen iron, fifteen coal mines and sixteen blast furnaces, he said. Before the Steel Corporation acquired the company four of the furnaces had been reconstructed, new power and light plants were built and many other improvements were made under his direction. Mr. Topping testified, and the net profit made by the company at the end of 1906 was about \$1,500,000.

"Was the Tennessee Coal and Iron Company solvent when it was taken over by the Steel Corporation?" asked Mr. Dickinson.

Big Rise in Stock Value.

"I regarded it as solvent," was the answer, and Mr. Topping added that the company's working capital over and above the current liabilities was about \$2,000,000 in 1906. The stock issue was \$22,000,000 at the time when the syndicate acquired the company, and when it was sold to the corporation the stock value had risen to \$29,000,000.

Schley wanted to dispose of his holdings in the syndicate.

Bibles in Morgan Library.

Some time later he was present at a meeting in the library of J. P. Morgan. There was nothing there but Bibles, and it looked like a serious meeting, he added, with a smile.

"Did you understand that any bonds had been brought to bear on any one in the syndicate to sell his holdings?" Mr. Lindabury asked.

"I did not," was the answer.

"Did you hear that Judge Gary, Mr. Morgan or any person connected with the Steel Corporation had been responsible for the situation that required the sale of the Tennessee Coal and Iron Company?" inquired counsel.

"I did not, and I don't believe so now," answered Mr. Topping, arousing Mr. Dickinson's protest against what the witness believed.

Testimony showing that guarded price agreements as to steel bars, at least, were entered into between the United States Steel Corporation and independent producers no longer ago than a year was brought out, and Mr. Topping, after saying that his company had reduced prices on steel bars during the last year, was asked whether he informed Judge Gary, of the Steel Corporation, that this was to be done.

"It was published broadcast in the newspapers," was Mr. Topping's reply.

"But before you announced it to the newspapers, didn't you inform Judge Gary that you were going to do it?" asked Mr. Dickinson.

"I did," was the answer, after the objection of counsel for the Steel Corporation had failed to satisfy Mr. Dickinson.

T. C. and I. as a Competitor.

In his earlier testimony Mr. Topping went on record as saying that his company was an active competitor of the Steel Corporation.

Mr. Dickinson did not inquire either as to the place or the manner in which Mr. Topping gave the information concerning a price reduction on steel bars to Judge Gary. But no doubt was left that he would take up this phase of the inquiry this morning, when Mr. Topping was expected again to appear as a witness.

It was understood, however, that the occasion on which Mr. Topping talked over the question of steel bar prices with Judge Gary was a luncheon in a down town club which was attended by a large number of steel men. The announcement of the intended price cut to Judge Gary, but no doubt was left that he would take up this phase of the inquiry this morning, when Mr. Topping was expected again to appear as a witness in the case, if needed.

EXPECT DAYBREAK ATTACK

Federal and Rebel Forces Near in Mexico.

At General Orozco's Headquarters, Jimenez, Mexico, May 15—Scouts reported tonight to General Orozco that the federal forces were advancing rapidly northward and probably would attack at daybreak.

The vanguard of the government troops, under General Tellez, already is ten miles north of Yerme, while the main columns, under General Huerta, are only three miles behind.

The front of the rebel forces, under General Salazar, is at Asuncion and Escalon, forty-one and forty-five miles, respectively, south of here. The main columns are at Reliano, six miles behind.

Between the rebel front and the advancing federales is only twenty-seven miles.

The federales are expected to have covered this distance by to-morrow, as they have been advancing by night marches since Sunday.

It was understood that the business was increasing just before it was taken over by the Steel Corporation?" asked Mr. Dickinson.

"Yes, the business was increasing rapidly," said Mr. Topping.

At the time of the absorption, in 1907, the Tennessee Coal and Iron Company had on its books orders for nearly 400,000 tons of steel rails at approximately \$22 a ton, the witness said, and 37,000 tons of pig iron. Thousands of tons of coal had also been ordered.

Six months before that time, Mr. Topping said, E. H. Harriman had placed his order for 150,000 tons of open hearth rails, of which the company was making a specialty. The Bethlehem Steel Company was making such rails at the time, he said, but the Tennessee Coal and Iron Company could produce them cheaper.

The company's chief strength for steel rails was the Southern markets, but it sold pig iron all over the United States, being able to produce it in Birmingham at from \$3 to \$3.50 cheaper a ton than it could be made in Pittsburgh. This difference outweighed the item of transportation, which was figured at \$1 a ton for the longest distances.

An Admission by Topping.

On cross-examination, however, Mr. Topping admitted that the Chicago works of the Illinois Steel Company might be able to produce pig iron as cheaply as the works in Birmingham.

As a further large asset of the Tennessee Coal and Iron Company, Mr. Topping gave its ability to supply the whole Southern market with coal and coke.

Richard V. Lindabury, of counsel for the Steel Corporation, cross-examined Mr. Topping on his testimony concerning the Tennessee Coal and Iron Company. He asked him what was his intention in joining the syndicate which acquired the company.

"To make money," was the answer.

"Did you have any objection to making this money by selling the property later?" asked Mr. Lindabury.

"We had no intention to sell that property," said Mr. Topping. "We intended to develop it and to make our money in that manner."

With the exception of one member of the syndicate who was compelled to sell his holdings in the Tennessee Coal and Iron Company because of his financial difficulties, all of the other members of the syndicate were against selling to the Steel Corporation, Mr. Topping asserted in answer to a question by counsel.

The witness then told of what he knew about the negotiations which led to the absorption of the Tennessee company. At the request of Mr. Schley, he met Lewis Cass Ledyard and told him about the condition of the company. He did not then know what deal was on, Mr. Topping said, and he thought that Mr.

OROZCO NAMES PEACE TERMS

Insists That Madero Resign—Would Be Military Head.

Jimenez, Mexico, May 15.—When peace is restored in Mexico General Pascual Orozco will be the military head of the government pending the election of a President. This is the vital portion of the reply made by Orozco to the peace committee sent here from Mexico City by the Social Defense League.

The committee proposed as a basis of peace that Vice-President Pino Suarez and Madero's Cabinet resign, but General Orozco replied that the resignation of Madero himself was essential. He expressed no fear of foreign intervention, asserting that foreigners had and would receive all guarantees of protection, but in the "most case" of interference by foreign powers he and his forces would join the government in repelling the interfering countries.

Orozco denied the implication that his army was an undisciplined body of men, adding that since Zapata had cast his lot with him the problem of peace in the southern half of the republic would cease to exist on the day that the revolution triumphed. As an example of the fact that the revolution was not being conducted along personal lines he cited the repudiation of Emilio Vasquez Gomez as provisional president.

Orozco proposes to have selected a representative junta from among all parties which shall devise a plan for the selection of a provisional president.

FLOOD IMPERILS GREAT AREA.

Louisiana Fears Loss of Millions Through Breaking of Levee.

New Orleans, May 15.—With approximately 7,500 square miles of Louisiana's lands inundated by the waters of the Mississippi and more than 40,000 inhabitants driven from their homes in the parishes along the river from the Arkansas line almost to the Gulf, the Hydeline crenassation, the most serious of the present flood, promises to add another thousand square miles to the already swollen lines of inundation. Thousands of persons and millions of dollars to the property damage done within the state. Although part of twenty-four parishes have been swept by the floods, the list of known human victims is less than forty.

PARISH HOUSE DEDICATED.

Gift of Mrs. L. B. Van Nostrand to Owego Episcopal Church Blessed.

(By Telegraph to The Tribune.)

Owego, N. Y., May 15.—The parish house presented to St. Paul's Episcopal Church of this town by Mrs. L. B. Van Nostrand, of Olcott, in memory of her son, James Van Nostrand, was dedicated today. The blessing of the edifice was participated in by the gilds and church societies and was followed by a luncheon at the Hotel New York.

Mrs. Van Nostrand, an integral member of the Rev. J. Howard Melish, rector of Holy Trinity Church, of that city, attended the ceremony.

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SECTIONS ONE AND TWO ARE NOW READY.



WAITERS HEED WHISTLE AT HOTEL VANDERBILT

Only Few Walk Out, Management Says, and Places Are Quickly Filled.

COMFORT AT LABOR BUREAU

State Body Sees Merit in Their Complaints, Knights of Tray and Napkin Declare—Will Submit Demands To-day.

According to the latest dispatches from war correspondents encamped at the front the army of waiters is more strongly entrenched than before the sun rose on yesterday's proceedings. In gaining this advantage, however, the men who hold the napkin and the tray suffered a grievous loss. Their field marshal, the redoubtable Joseph J. Elster, was captured by the enemy and had to pay a fine of \$2 before he was released.

Summing up the day's casualties, the waiters succeeded in discomfiting several hundred guests in the Hotel Vanderbilt, at Park avenue and 5th street. Figures given are conflicting, but the most reliable reports indicate that about fifty waiters walked out of the hotel just as a time when Broadway and Fifth avenue were most hungry.

Numerous reasons were advanced for this action on the part of the waiters at the Vanderbilt. An excited Alsatian, who said he represented the International Hotel Workers Union, announced that the striking men had taken action on their own initiative, because of the mean treatment they had received at the hands of the head waiter.

"He sure and put that in your paper," said he, "that the International Hotel Workers' Union has nothing whatever to do with this; the boys got treated mean and just walked out—that's all there is to it."

When the headquarters of the striking waiters were called on the telephone, however, a different story developed. First a bubbling Teuton got on the wire:

"Was? Who is this? Sure, the boys got strike at the Vanderbilt. How many? Oh, two hundred and fifty of them, they-wait a minute!"

Reitman was taken to Las Penas Quitas ranch, twenty miles north of town, by citizens in automobiles and tarred and feathered. It is stated that his underclothes were left on him before the tar and feathers were applied. Reitman was forced to kneel and kiss the American flag and to promise that he would not return to San Diego.

Miss Goldman and Reitman went to San Diego yesterday afternoon. They had announced that they had engaged the Socialists half for Miss Goldman to deliver two lectures on the drama, but when they arrived the Socialists declined to let them have the hall.

At 5 o'clock p.m. in a crowd of about one thousand marched into the Grant Hotel, waving an American flag and demanded that the manager send the anarchist speaker and her manager away. He said he would gladly do so.

At about 2 a.m. Miss Goldman was quietly escorted to the train by two bell boys, having been taken out a side door. A crowd had waited in the street near by for some time. Miss Goodman was badly frightened.

The police made no effort to stop the demonstration against her, as they had warned her not to come to San Diego.

Indianaapolis, May 15.—Overriding and rebuking the national executive committee, the delegates of the national Socialist convention to-day voted to recognize and aid the Industrial Workers of the World, at San Diego, Cal., in the campaign for free speech.

SENDS CUT 11 NEW DOCTORS.

Eclectic Medical College Confers Degrees—Alumni Fund Announced.

The commencement exercises of the graduating class of the Eclectic Medical College were held last night at the Hotel Astor.

Eleven students received their degrees last night, and were presented with certificates of their original and fruitful investigations in the field of physical optics.

Atred Noelle, of New York, in recognition of his distinguished achievements in the field of electrical transmission of articulate speech; Dr. Samuel Wesley Stratton, distinguished for his work in physical science and meteorology; Professor Elihu Thomson, leading authority on the industrial application of electricity, and Professor Edward Williams Morley, an important contributor to chemical science, received at the Franklin Institute to-night the Elliott Cresson medal, awarded annually by the institute as recognition for an invention or notable discovery in the arts and sciences.

Medals also were awarded to the following, who, however, were not present:

Albert A. Michelson, of Chicago, in recognition of his original and fruitful investigations in the field of physical optics.

Atred Noelle, of New York, in recognition of his distinguished achievements in the field of electrical transmission of articulate speech;

John F. French, Adolph Von Baeyer, of M. R. S. of Munich, in recognition of the many important results of his extended researches in organic chemistry and of his valuable synthetic processes of great industrial value.

Sam William Crookes, F. R. S., of London, in recognition of his important discoveries in inorganic and analytical chemistry and in the production of electric currents by the action of electricity through gases.

Sir Henry Enfield Roscoe, F. R. S., of London, in recognition of his extended and important researches in the domains of inorganic physical and industrial chemistry.

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